



IFW

Docket No. 3000315-7038082001
(ACI-005)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Celso J. Bagaoisan, et al.

Serial No.: 10/806,927

Filed: March 22, 2004

For: OCCLUSION MEMBER AND
TENSIONER APPARATUS AND
METHODS OF THEIR USE FOR SEALING
A VASCULAR PUNCTURE

Group Art Unit: 3764

Confirmation No.: 2886

Examiner: Not-Yet-Assigned

INFORMATION DISCLOSURE STATEMENT

M/S: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the United States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

January 3, 2005
Date of deposit
PA/52148628.1

Maritza D. Kidd
Name of Person transmitting Paper
Signature of Person depositing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☐ Please charge _____ to Deposit Account No. **50-2518** for the above fee(s).
- ☒ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. **50-2518**.

Respectfully submitted,
BINGHAM McCUTCHEN LLP

Dated: Jan 3, 2005

By: DT Burse
David T. Burse
Reg. No. 37,104

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/806,927
Filing Date	March 22, 2004
First Named Inventor	Celso Bagaoisan et al
Group Art Unit	3764
Examiner Name	Not-Yet-Assigned
Attorney Docket Number	315-7038082001 (ACI-005)

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1.	Re. 34,866		Kensey et al	02-21-1995	
	2.	2,115,492		Kober	04-26-1938	
	3.	3,765,419		Usher	10-16-1973	
	4.	4,260,077		Schroeder	04-07-1981	
	5.	4,327,709		Hanson et al	05-04-1982	
	6.	4,362,150		Lombardi Jr. et al	12-07-1982	
	7.	4,540,404		Wolvek	09-10-1985	
	8.	4,655,211		Sakamoto et al	04-07-1987	
	9.	4,738,658		Magro et al	04-19-1988	
	10.	4,838,280		Haaga	06-13-1989	
	11.	4,852,568		Kensey	08-01-1989	
	12.	4,890,612		Kensey	01-02-1990	
	13.	5,061,274		Kensey	10-29-1991	
	14.	5,104,375		Wolf et al	04-14-1992	
	15.	5,104,389		Deem et al	04-14-1992	
	16.	5,108,421		Fowler	04-28-1992	
	17.	5,192,300		Fowler	03-09-1993	
	18.	5,192,302		Kensey et al	03-09-1993	
	19.	5,221,259		Weldom et al	06-22-1993	
	20.	5,258,042		Mehta	11-02-1993	
	21.	5,259,835		Clark et al	11-09-1993	
	22.	5,275,616		Fowler	01-04-1994	
	23.	5,290,310		Makower et al	03-01-1994	
	24.	5,306,254		Nash et al	04-26-1994	
	25.	5,320,639		Rudnick	06-14-1994	
	26.	5,324,306		Makower et al	06-28-1994	
	27.	5,383,896		Gershony et al	01-24-1995	
	28.	5,391,183		Janzen et al	02-21-1995	
	29.	5,413,571		Katsaros et al	05-09-1995	
	30.	5,419,765		Weldon et al	05-30-1995	
	31.	5,431,639		Shaw	07-11-1995	
	32.	5,437,292		Kipshidze et al	08-01-1995	
	33.	5,437,631		Janzen	08-01-1995	

Examiner
Signature

Date
Considered

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet	2	of	4		

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		Number	Kind Code ² (if known)			
	34.	5,441,517		Kensley et al	08-15-1995	
	35.	5,443,481		Lee	08-22-1995	
	36.	5,464,396		Barta et al	11-07-1995	
	37.	5,486,195		Myers et al	01-23-1996	
	38.	5,489,278		Abrahamson	02-06-1996	
	39.	5,514,158		Kanesaka	05-07-1996	
	40.	5,529,577		Hammerslag	06-25-1996	
	41.	5,591,204		Jansen et al	01-07-1997	
	42.	5,591,205		Fowler	01-07-1997	
	43.	5,601,602		Fowler	02-11-1997	
	44.	5,626,601		Gershony et al	05-06-1997	
	45.	5,637,086		Ferguson et al	06-10-1997	
	46.	5,660,849		Polson et al	08-26-1997	
	47.	5,716,375		Fowler	02-10-1998	
	48.	5,725,498		Janzen et al	03-10-1998	
	49.	5,725,551		Myers et al	03-10-1998	
	50.	5,728,122		Leschinsky et al	03-17-1998	
	51.	5,731,368		Stanley et al	03-24-1998	
	52.	5,741,223		Janzen et al	04-21-1998	
	53.	5,744,153		Yewey et al	04-28-1998	
	54.	5,752,974		Rhee et al	05-19-1998	
	55.	5,780,044		Yewey et al	07-14-1998	
	56.	5,782,860		Epstein et al	07-21-1998	
	57.	5,785,679		Abolfathi et al	07-28-1998	
	58.	5,795,331		Cragg et al	08-18-1998	
	59.	5,830,130		Janzen et al	11-03-1998	
	60.	5,836,970		Pandit	11-17-1998	
	61.	5,843,124		Hammerslag	12-01-1998	
	62.	5,916,236		Muijs Van de Moer et al	06-29-1999	
	63.	5,922,009		Epstein et al	07-13-1999	
	64.	5,928,266		Kontos	07-27-1999	
	65.	5,941,847		Huber et al	08-24-1999	
	66.	5,951,583		Jensen et al	09-14-1999	
	67.	5,951,589		Epstein et al	09-14-1999	

Examiner Signature	Date Considered
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	68.	6,017,359		Gershony et al	01-25-2000	
	69.	6,022,361		Epstein et al	02-08-2000	
	70.	6,027,471		Fallon et al	02-22-2000	
	71.	6,045,570		Epstein et al	04-04-2000	
	72.	6,051,248		Sawhney et al	04-18-2000	
	73.	6,056,769		Epstein et al	05-02-2000	
	74.	6,162,240		Cates et al	12-19-2000	
	75.	6,162,241		Coury et al	12-19-2000	
	76.	6,238,412		Dubrul et al	05-29-2001	
	77.	6,287,323		Hammerslag	09-11-2001	
	78.	6,299,597		Buscemi et al	10-09-2001	
	79.	6,302,898		Edwards et al	10-16-2001	
	80.	6,350,274		Li	02-26-2002	
	81.	6,368,300		Fallon et al	04-09-2002	
	82.	6,371,975		Cruise et al	04-16-2002	
	83.	6,458,147		Cruise et al	10-01-2002	
	84.	6,475,177		Suzuki	11-05-2002	
	85.	6,562,059		Edwards et al	05-13-2003	
	86.	6,569,185		Ungs	05-27-2003	
	87.	6,613,070		Redmond et al	09-02-2003	
	88.	6,635,068		Dubrul et al	10-21-2003	
	89.	2001/0031948		Cruise et al	10-18-2001	
	90.	2001/0047187		Milo et al	11-29-2001	
	91.	2002/0015724		Yang et al	02-07-2002	
	92.	2002/0062104		Ashby et al	05-23-2002	
	93.	2002/0111392		Cruise	08-15-2002	
	94.	2002/0111651		Ungs	08-15-2002	
	95.	2002/0188319		Morris et al	12-12-2002	
	96.	2003/0008831		Yang et al	01-09-2003	
	97.	2003/0088269		Ashby	05-08-2003	
	98.	2003/0088271		Cragg et al	05-08-2003	
	99.	2003/0135234		Fisher et al	07-17-2003	
	100.	2003/0135235		Fisher et al	07-17-2003	
	101.	2003/0135236		Fisher et al	07-17-2003	

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		Number	Kind Code ² (if known)			
	102.	2003/0139770		Fisher et al	07-24-2003	
	103.	2003/0139771		Fisher et al	07-24-2003	
	104.	2003/0139772		Fisher et al	07-24-2003	
	105.	2003/0139773		Fisher et al	07-24-2003	
	106.	2003/0233120		Akerfeldt	12-18-2003	

FOREIGN PATENT DOCUMENTS								
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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	107.	EP	0 476 178	A1	Bioplex Medical B.V	03-25-1992		
	108.	EP	0 482 350	B1	Datascope Investment Corp.	04-29-1992		
	109.	WO	92/22252		Ashridge AG	12-23-1992		

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